



Phone: (302) 425-6467
Fax: (302) 428-5108
Email: Dube@BlankRome.com

January 28, 2008

VIA CMF AND HAND DELIVERY

The Honorable Mary Pat Thyng
United States Magistrate Judge
U.S. District Court for the District of Delaware
844 King Street
Wilmington, DE 19801

Re: *McKesson Automation, Inc. v. Swisslog Italia S.p.A. et al.*;
C.A. No. 06-028-MPT [RE: D.I. 220]

Your Honor:

On January 24, 2008 we wrote to the Court requesting that Blair Jacobs, Esquire be appointed a Commissioner for the purpose of taking foreign depositions of the Italian witnesses. D.I. 220. Due to an error, the Commission was not enclosed with that letter. Enclosed please find the Commission that we respectfully request the Court enter.

Respectfully,

A handwritten signature in black ink that reads "Dale Dube".

Dale R. Dube
No. 2863

DRD:pb
Enclosure

cc: Clerk of Court (by CM/ECF)
Julia Heaney, Esquire (by CM/ECF and hand delivery)
Lawrence C. Drucker, Esquire (by email and First Class Mail)
Alfred R. Fabricant, Esquire (by email and First Class Mail)
Richard LaCava, Esquire (by email and First Class Mail)
Bryan N. DeMatteo, Esquire (by email and First Class Mail)
Robert A. Gutkin, Esquire
Blair M. Jacobs, Esquire
Christina A. Ondrick, Esquire
Christopher L. May, Esquire
Katherine R. Lahnstein-Bertocci, Esquire

Chase Manhattan Centre 1201 Market Street Suite 800 Wilmington, DE 19801
www.BlankRome.com

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

MCKESSON AUTOMATION, INC.,
a Delaware Corporation,

Plaintiff,

v.

TRANSLOGIC CORPORATION
a Delaware Corporation, and
SWISSLOG ITALIA S.P.A.
an Italian Corporation,

Defendants.

Civ. Action No. 06-028-MPT

COMMISSION TO BLAIR M. JACOBS, ESQUIRE

In the United States District Court for the District of Delaware:

The President of the United States of America to Blair M. Jacobs, Esquire, at 1275 Pennsylvania Ave. NW, Washington DC;

GREETING:

Know ye, that we, by these presents, and pursuant to the attached Order of the Honorable Mary Pat Thyng have appointed you a commissioner, and do give you full power and authority to examine Andrea Balsamo and Paolo Provvisionato of Bologna, Italy under oath or affirmation as witnesses on behalf of Defendants Translogic Corporation and Swisslog Italia, S.P.A. in a certain cause now pending in the above Court, in which McKesson Automation, Inc. is Plaintiff, in response to such oral interrogatories and cross-interrogatories as may be propounded to these witnesses in regard to Opinion Letters written by Messrs. Balsamo and Provvisionato and related issues.

And we do hereby require you, before whom such testimony is to be taken, to reduce the testimony to writing, and direct it to the Clerk of the above-entitled Court as soon as may be after the execution of this commission.

Witness the Honorable Mary Pat Thyng, Judge of the District Court of the United States, this ____ day of January 2008.

[Seal]

Clerk of the United States District Court
for the District of Delaware